

APPROVED

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: January 11, 2005

TIME: 7:30 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Robert Jefferies, Christopher Romeo, Allan Loiselle, James Silva

ABSENT: Dini Healy-Coffin

OTHERS

PRESENT: Steve Ledoux-Town Manager, Audience Members

Open Forum

Sam Frank, Chairman of the Zoning Board of Appeals, reported that the ZBA has held two public hearings and one working session for the Woodlands at Laurel Hill 40B project. Frank stated that the ZBA has requested that the Selectmen and the Affordable Housing Committee vote regarding the maximum build out of the project. Jefferies indicated that it was the consensus of the Selectmen to support the maximum build out. This item will be scheduled for discussion at the next meeting. Romeo reported that the Affordable Housing Committee will be meeting on Wednesday, January 12, 2005 and will take a vote at that time.

Richard Barrett, Highway Superintendent provided updates on the following projects:

Forge Village Bridge – The State opened the bids and selected a firm from Fitchburg. After the necessary paperwork is completed, the firm will begin the work. Barrett stated that high water may delay the heavy construction for a period of time.

Resurfacing of State Roads – The State will be repaving sections of Route 110 in the spring. Barrett stated that the Minot's Corner area will be first on the State's list when resurfacing begins.

Lights at Boston Road – The State has run into problems with the existing lines as well as drainage issues relating to the detention area. Work will resume in the spring with a completion date of August, 2005. Barrett reported that the State is trying to coordinate the installation of the lights at Minot's Corner and Route 495 on Boston Road. Additional lanes and sidewalks will be installed at Minot's Corner.

Leslie Thomas, Route 110 Master Plan Committee, asked Barrett what type of lights would be installed. Barrett indicated that there would be swinging lights that were approved by Mass Highway.

Presentation on Application for CPC Funding for the East Boston Camps

The following members of the Community Preservation Committee were present: Ingrid Nilsson, Chairman, Robert Shaffer, Mary Ellen Tynan, Kathleen Healy, Marilyn Frank, Christine MacMillan, Ken Tebbetts, and Evan Schapiro. Nilsson reported that the Community Preservation Committee (CPC) was reviewing the funding application that was prepared by the Board of Selectmen. The application is posted on the CPC website and is available for review at the Town Clerk's Office and the J.V. Fletcher Library. Nilsson stated that the CPC will be holding a public hearing on Thursday, January 13, 2005 at 7:30 p.m. Nilsson stated that the CPC will take a vote on a recommendation within the next two weeks in time for Special Town Meeting on February 7, 2005.

Ledoux outlined the history of the negotiations with the Hyams Foundation, the Trust for Public Land, and the Town. Ledoux also outlined the recommendation made by the East Boston Camps Global Use Committee. Ledoux made a presentation of the application submitted by the Selectmen as follows: Project Purpose and Goals; Preserve Westford's Character; Westford's Current Needs; Who Benefits?; Project Schedule; Financial Stability; and Buildings.

Suzanne Marchand, Finance Director, introduced Clark Rowell of Unibank Fiscal Advisory Services. Marchand made a presentation of the following: East Boston Camps Preliminary Funding Plan; East Boston Camps Bonds Authorized; What Can We Spend on East Boston Camps?; and Summary.

Schapiro asked what it would cost to bring the buildings into ADA compliance. Ledoux stated that he would ask Don Kinney, Building Commissioner, for an estimate of costs.

Nilsson stated that the Community Preservation Act requires the town to put a Conservation Restriction (CR) on any land bought with CPC funds. Nilsson asked for direction on how to proceed with the draft CR relative to input. Ledoux stated that the draft CR is available for review and asked that comments be e-mailed to him. Frank stated that residents can bring ideas to the CPC public hearing on Thursday. Schapiro suggested that the CR be broad enough to not over-restrict the property.

Marian Harman, 10 Chamberlain Road, stated that there were several provisions in the draft CR that are highly unusual for a Westford Conservation Restriction. Harman addressed her concerns regarding the cutting of trees and the possibility of establishing

a town beach. Harman suggested that the provisions regarding road maintenance and parking be written with greater detail. Harman was also concerned with commercial timber production and suggested that the section be deleted. Harman questioned the legality of the amendment section and suggested that it be also written with greater detail. Harman stated that she would provide her comments to the Board.

MacMillan stated that she was very concerned with the hunting clause.

Leslie Thomas, Water Commissioner, reported that the Water Department had already provided comments to Ledoux. Thomas stated that some of the concerns dealt with the protection of wells and the watershed, no chemical use and that the parking lots be gravel packed rather than paved.

Peraner-Sweet suggested that the CR needed to be tightened up as some of the provisions were conflicting.

Bill Harman, 10 Chamberlain Road, stated that flexibility has to be balanced with the CR. Harman explained the differences with forests used specifically for timber and the East Boston Camps. Harman suggested removing the clause regarding tree cutting.

Ledoux asked that comments be forwarded to him and the CPC as soon as possible.

Selectmen to Sign Special Town Meeting Warrant

Ledoux referenced the draft copy of the warrant. Ledoux stated that the Town Moderator had asked if the citizens' petition could be placed first on the warrant. Romeo wanted the East Boston Camps to be first. Jefferies pointed out that the Special Town Meeting was called for the East Boston Camps so that item should go first.

It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to adopt the East Boston Camps first warrant.

Update on Chestnut Hill Estates Snow Maintenance

Richard Barrett, Highway Superintendent and John Dold, Acting Interim Town Engineer, were present. Barrett outlined the snow plowing procedures adopted by the Selectmen in 1994. Barrett felt that the Chestnut Hill Estates subdivision did not meet the Selectmen's policy. Dold stated that the road was not constructed properly due to a defect in the finished pavement. Dold stated that there are a number of storm drain catch basin issues. Dold also stated that there is insufficient bond money being held by the Town. Dold felt that the roadways fail the test to take over winter maintenance by the Town. Loiselle pointed out that the Selectmen told the developer of Rome Drive last year to plow that area and that the Board needs to be consistent with all developments. Loiselle stated that the developer of Chestnut Hills needs to be told to take responsibility for the snow plowing. Ledoux stated that the builder, OHC, is providing snow plowing and that Barrett has been keeping Ledoux updated on the situation.

Dan Linscott, Chestnut Hill Land Corp., referenced a town memo dated November 18, 2004 which indicated that the roads meet the town standards and that there was sufficient road bond. Romeo stated that the Board takes input from the Highway Superintendent and Town Engineer and follows their recommendations. Romeo suggested that Linscott speak to the Planning Board.

A resident from the Chestnut Hill Estates subdivision asked what could be done to bring the roads up to town standards. Loiselle stated that it is an issue for the Planning Board. Loiselle stated that the Highway Superintendent and the Town Engineer will try to get the work done by the developer or use bond money to get the roads up to town standards to bring it to town meeting for acceptance.

Jefferies stated that the town will continue to monitor the situation so that it does not become a public safety issue.

Selectmen to Sign Agreement with Kenneth Winchester for Water Supply Connection

It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to sign the Agreement.

Licenses and Permits

Request to Place Banner over Main Street for WATA's Presentation of "School House Rock Live", January 27-29, 2005 – Joanne Mavroides and Dennis Canty were present. Canty explained the presentation scheduled for January 27-29, 2005. **It was moved by Romeo, seconded by Silva, and VOTED 3 IN FAVOR WITH 1 ABSENT (Healy-Coffin) and 1 ABSTAINING (Loiselle), to approve the banner request.** Loiselle abstained as his daughter is in the production.

Request to Hold Soap Box Derby Demo Race on Old Homestead Road – May 2005 – Bill Bradley, Publicity Chair for the Westford Friends and Newcomers, provided an overview of the event. **It was moved by Loiselle, seconded by Silva, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to support the concept of bringing the Soap Box Derby event to Westford on a date and time to be determined.** Loiselle suggested that Bradley look at the road leading up to Haystacks Observatory as a possible alternate site.

Request from the Town Clerk to Hang Banners – Special Town Meeting February 1 – February 8; Annual Town Election April 26 – May 4; Annual Town Meeting May 5 – May 8, 2005. **It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve.**

Franco American – 3 Automatic Amusement License Renewals – **It was moved by Loiselle, seconded by Romeo, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve.**

Request from Living Lab Third Grade, “Rock Concert” Project to Use Town Common on June 13, 2005 from 4PM-7PM. It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve.

Franklin Property

No report at this time.

Update on Perchlorate

Ledoux reported that he will be meeting on Friday, January 14, 2005 with CEI regarding the Perchlorate study. Ledoux referenced a recent Boston Globe article about a report by the National Academy of Sciences which suggested that ingesting Perchlorate is not as harmful as DEP claims. Silva felt that article was very controversial. Silva stated that he hoped DEP was testing in the right places and suggested that the Town keep in close communication with DEP.

Minutes

It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to approve the minutes of November 23, 2004, as amended.

Board Report/Updates

NMCOG’s Comments on Woodlands at Laurel Hill – Ledoux stated that NMCOG is looking for the Board’s comments. Jefferies stated that he was still awaiting an answer from Town Counsel regarding whether Westford has to accept effluent from another town without an intermunicipal agreement. Ledoux asked the Board to provide comments to him. Ledoux will prepare a draft comment letter for the Board’s review.

Contribution to Conservation Commission from Boy Scout Troop 195

It was moved by Loiselle, seconded by Romeo, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), that pursuant to MGL, Ch. 40 S. 8C to approve the gift of \$86.14 from Boy Scout Troop 195 of Westford to the Westford Conservation Fund.

Draft Town-wide Mailing – Ledoux distributed a draft town-wide mailing on the East Boston Camps put together by the Trust for Public Land and the Westford Land Preservation Foundation.

Correspondence

1.3 Memo from Metropolitan Area Planning Council re: CPA funds. Silva suggested sending a letter declining.

Executive Session

The Board voted at 9:52 p.m. to go into Executive Session to discuss litigation strategies regarding 52 Beaver Brook Road. Andrea Peraner-Sweet, Affordable Housing Committee, also in attendance. The Board to reconvene to regular session for the purpose of adjourning only. A polling of the Board: Jefferies-yes; Romeo-yes; Loiselle-yes; Silva-yes; Healy-Coffin-absent.

Reconvene to Regular Session

The Board reconvened to regular session at 10:10 p.m. for the purpose of adjourning.

Open Items

1/11-1 Board to vote at next meeting re: maximum build out of Woodlands at Laurel Hill Ch. 40B project.

1/11-2 Ledoux to ask Don Kinney for an estimate of costs to bring buildings up to ADA Compliance re: East Boston Camps.

1/11-3 Ledoux to prepare draft comment letter to NMCOG re: Woodlands at Laurel Hill Ch. 40B project.

Adjournment

It was moved by Romeo, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Healy-Coffin), to adjourn the meeting at 10:10 p.m.

Steve Ledoux, Town Manager

Robert Jefferies, Chairman

Submitted by Beth A Kinney, Recording Secretary